

REMARKS

Claims 1-9 and 11-23 are pending. Upon entry of this response, claims 1-9 and 11-25 will be pending, claims 1 and 5 having been amended and claims 24 and 25 added in this response. The claim 1 amendment finds support in the specification, pg. 14, l. 18 – pg. 15, l. 12, for example. New claim 24 recites the canceled language of claim 5. New claim 25 finds support in the specification, pg. 24, l. 25 – pg. 26, l. 18, pg. 46, ll.12-21, for example. Accordingly, there are no issues of new matter.

102(b),(e)/103(a) Rejections**Suzuki '208 in view of Miyoshi**

Claims 1-9 and 11-23 were rejected under 35 U.S.C. 102(b) or (e) as allegedly anticipated by or, in the alternative, under 35 U.S.C. 103(a) as allegedly obvious over Kaneka WO 99/23162, which corresponds to Suzuki USP 6,583,208, (“Suzuki ‘208”), in view of Miyoshi USPA 2001/0031831 (“Miyoshi”). Applicants traverse the rejections.

Claim 1 as amended is directed to a polyamide resin composition comprising polyamide resin and swelling mica treated with a polyether compound represented by general formula (2) (see claim 1), where the polyamide resin is nylon 6, nylon 46, nylon 66, nylon 11, nylon 12, nylon 9T or nylon MXD6.

In contrast, Suzuki ‘208 discloses a polyester resin composition comprising a thermoplastic polyester resin and a silane-treated foliated phyllosilicate. See, e.g., Suzuki ‘208, claim 1. Suzuki ‘208 neither teaches nor suggests that its polyester resin is one of the nylons in Applicants’ claim 1. Moreover, Suzuki ‘208 neither teaches nor suggests the polyether compound of Applicants’ claim 1. Accordingly, claim 1 and its dependent claims 2-9 and 11-23 are not believed to be anticipated by Suzuki ‘208. Withdrawal of these rejections is requested.

Miyoshi discloses a composition which includes polyphenylene ether. See, e.g., Miyoshi, claim 1. However, there is neither teaching nor suggestion in either Miyoshi or Suzuki ‘208 that Miyoshi’s polyphenylene ether may replace Suzuki ‘208’s silane to treat Suzuki ‘208’s phyllosilicate. Accordingly, claim 1 and its dependent claims 2-9 and 11-23 are not believed to be obvious over Suzuki ‘208 in view of Miyoshi. Withdrawal of these rejections is requested.

Suzuki '139 in view of Miyoshi

Claims 1-9 and 11-23 were rejected under 35 U.S.C. 102(b) or (e) as allegedly anticipated by or, in the alternative, under 35 U.S.C. 103(a) as allegedly obvious over Suzuki USPA 2004/0024139 ("Suzuki '139") in view of Miyoshi. Applicants traverse the rejections.

Enclosed herewith are certified English translations of three of this application's priority applications JP 2002-214446 ("JP '446"), JP 2002-301567 ("JP '567"), and JP 2002-303843 ("JP '843"), with respective filing dates of July 23, 2002, October 16, 2002, and October 18, 2002.

Suzuki '139 has an effective prior art date of January 10, 2003¹, which is later than any of the filing dates of the above-identified priority applications.

The subject matter of at least claims 1-4, 7-9, and 11-23 is disclosed in one or more of the priority applications. Accordingly, Applicants request that Suzuki '139 be disqualified as prior art, with respect to at least claims 1-4, 7-9, and 11-23, thereby rendering their rejections over Suzuki '139 in view of Miyoshi moot. Withdrawal of these rejections is requested.

Regarding the rejections of remaining claims 5 and 6 over Suzuki '139 in view of Miyoshi, Applicants traverse these rejections. Claim 5 is directed to an anhydride-containing olefin copolymer obtainable by copolymerization or graft reaction of olefin or olefin copolymer with an alicyclic dicarboxylic anhydride having a cis double bond in the ring.

In contrast, neither Suzuki '139 nor Miyoshi teach or suggest using the alicyclic dicarboxylic anhydride of Applicants' claim 5 to obtain an anhydride-containing olefin copolymer. Accordingly, claim 5 is not believed to be anticipated by Suzuki '139 nor obvious over Suzuki '139 in view of Miyoshi. Withdrawal of this rejection is requested.

Claim 6 is directed to the content of an anhydride-containing olefin copolymer in a polyamide resin composition being in the range of 1 to 30 percent by weight.

In contrast, Suzuki '139 neither teaches nor suggests the content range of the olefin copolymer with respect to the polyamide resin composition of Applicants' claim 6. Accordingly, claim 6 is not believed to be anticipated by Suzuki '139. Withdrawal of this rejection is requested.

¹ Suzuki '139 issued into U.S. Patent No. 7,056,963 ("the '963 patent") on June 6, 2006. The effective prior art date on the face of the '963 patent is May 6, 2003. However, the USPTO PAIR record indicates that the effective prior art date is January 10, 2003, as requested in a Certificate of Correction filed to correct the date to January 10, 2003.

Miyoshi discloses a composition which may include 1 to 30 parts by weight of ethylene- α -olefin copolymer based on 100 parts by weight of the total of polyamide and polyphenylene ether. See, e.g., Miyoshi, claim 1. However, there is neither teaching nor suggestion in either Miyoshi or Suzuki '139 that Miyoshi's amount of olefin copolymer may be used in Suzuki '139's polyester resin composition. Accordingly, claim 6 is not believed to be obvious over Suzuki '139 in view of Miyoshi. Withdrawal of this rejection is requested.

New Claims

New claim 24, which depends from claim 1, is believed to be allowable over Suzuki '208 in view of Miyoshi for at least the same reasons as those discussed above regarding claim 1. New claim 24 is also believed to be allowable over Suzuki '139 in view of Miyoshi because its subject matter is disclosed in one or more of the priority applications, which disqualifies Suzuki '139 as prior art.

New claim 25 is believed to be allowable over Suzuki '208 in view of Miyoshi because Suzuki '208 neither teaches nor suggests the method steps of Applicants' claim 25. Moreover, there is neither teaching nor suggestion in Suzuki '208 or Miyoshi to modify Suzuki '208 to provide Applicants' claim 25. New claim 25 is also believed to be allowable over Suzuki '139 in view of Miyoshi because its subject matter is disclosed in one or more of the priority applications, which disqualifies Suzuki '139 as prior art.

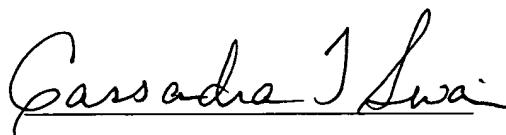
CONCLUSION

The claims are believed to be allowable.

The Examiner is invited to contact the undersigned at 202-220-4200 to discuss any matter in connection with this application.

The Office is hereby authorized to charge any fees under 37 C.F.R. 1.16 and 1.17 to the Kenyon & Kenyon Deposit Account No. 11-0600.

Respectfully submitted,



Cassandra T. Swain, Ph.D.
(Reg. No. 48,361)

KENYON & KENYON LLP
1500 K Street, N.W., Suite 700
Washington, DC 20005-1257
Tel: (202) 220-4200
Fax: (202) 220-4201
Email: cswain@kenyon.com

Enclosures:

Verified English Translations of Priority Applications:
JP 2002-214446
JP 2002-301567
JP 2002-303843